IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

DONNA PILCH,   )
)
        Plaintiff,   )
)
)
        v.   )   No. 5:11-CV-334-H
)
)
DONALD STEPHENS,   )
)
        Defendant.   )
_____

DONNA PILCH,   )
)
        Plaintiff,   )
)
)
        v.   )   No. 5:11-CV-335-H
)
)
JACQUELINE BREWER,   )
)
        Defendant.   )
_____

DONNA PILCH,   )
)
        Plaintiff,   )
)
)
        v.   )   No. 5:11-CV-352-H
)
)
LORRIN FREEMAN,   )
)
        Defendant.   )

ORDER

This matter is before the court on motions for sanctions filed in each of the above-captioned cases. In each case, defendants seek sanctions pursuant to Rule 11 of the Federal Rules of Civil Procedure because they allege plaintiff has persisted in a course of filing frivolous lawsuits against public officials acting properly and within the scope of their professional duties. Defendants argue that all the cases are completely frivolous and not at all "warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law" but rather were filed for "an improper purpose, such as to harass, cause unnecessary delay or needlessly increase the cost of litigation." Fed R. Civ. P. 11(b). In addition to attorney's fees and costs, defendants seek a pre-filing injunction or "gatekeeping" order to prevent plaintiff from filing future actions in this court without review of her complaint by a licensed attorney and prior approval of the court.
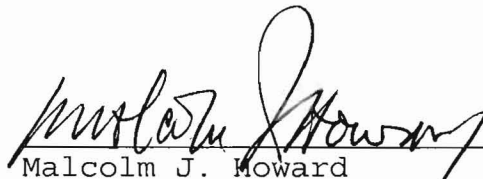
This court agrees with defendants that plaintiff's complaints are all frivolous and wholly without merit or basis in law or fact. However, the court notes that plaintiff proceeded pro se in these matters and although she did file five separate lawsuits, they all arise out of the same transaction or

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occurrence. The court, in its discretion, declines to award sanctions in this matter. However, the court warns plaintiff that continued filing of frivolous suits such as these may result in monetary sanctions and/or the entry of a gatekeeping order.

CONCLUSION

For the foregoing reasons, defendants' motions for sanctions are DENIED (No. 5:11-CV-334-H, DE #15, 25; No. 5:11-CV-335-H, DE #17; No. 5:11-CV-352-H, DE #16, #24). There being no other matters pending before the court, the clerk is directed to close these cases.

This 12TH day of December 2011.

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Malcolm J. Howard
Senior United States District Judge

At Greenville, NC
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